

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

COMMUNITY HOSPITAL OF  
MONTEREY PENINSULA,

Plaintiff,

v.

DAVE KINGSTON PRODUCE,

Defendant.

No. C 10-02041 EJD

**ORDER TO SHOW CAUSE RE:  
SETTLEMENT**

The parties, having filed a Notice of Settlement on May 6, 2011 (See Docket Item No. 39), are ordered to appear before the Honorable Edward J. Davila on **July 15, 2011 at 9:00 a.m.** in Courtroom No. 1, 5th Floor, United States District Court, 280 South First Street, San Jose, California, 95113, to show cause why the case should not be dismissed pursuant to Federal Rule of Civil Procedure 41(b). On or before **July 8, 2011**, the parties shall file a joint statement in response to the Order to Show Cause setting forth the status of settlement efforts as well as the amount of additional time necessary to finalize and file a dismissal.

The Order to Show Cause shall be automatically vacated and the parties relieved of the obligation to file a joint statement if a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a) is filed on or before **July 8, 2011**.

All other pretrial deadlines and hearing dates are vacated.

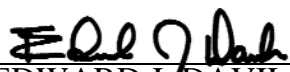
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Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss the action.

**IT IS SO ORDERED.**

Dated: May 17, 2011

  
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EDWARD J. DAVILA  
UNITED STATES DISTRICT JUDGE

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Philip Joseph Bonoli Philip.Bonoli@leclairryan.com  
3 Brian Seishin Inamine brian.inamine@leclairryan.com  
4 Richard Alan Lovich rlovich@sacfirmonline.com,ral@lovichlaw.com  
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7 Melanie Joy Young jstephenson@sacfirmonline.com

8 **Dated: May 17, 2011**

**Richard W. Wieking, Clerk**

9 **By: /s/ EJD Chambers**  
10 **Elizabeth Garcia**  
11 **Courtroom Deputy**

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**United States District Court**  
For the Northern District of California